

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP NO. 4643 of 2007

DATE OF DECISION: 29.03.2007

Baljit Singh

....Petitioner.

Versus

The State of Punjab and others

...Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr.R.K.Chopra, Sr. Advocate with
Mr.S.K. Dhawan, Advocate
for the petitioner.

J.S. Khehar, J.(oral)

Through the instant writ petition, the petitioner seeks a direction to the respondents to fix his pension and all other pensionary benefits in accordance with the provisions of rule 6.16 of the Punjab Civil Services Rules, Volume II. The petitioner also claims pension and all other pensionary benefits, on the basis of the last pay drawn by the petitioner at the time of his retirement. On the issue in hand, the petitioner is stated to have addressed a legal notice dated 6.9.2006 (Annexure P11). It is, however, the contention of the learned counsel for the petitioner that no decision has been taken thereon till date. Learned counsel further states that the petitioners will be satisfied if the instant writ petition is disposed of with a direction to respondent No.2 i.e. the Director Public Instructions (Schools), Punjab, requiring him to take a final decision on the legal notice dated 6.9.2006 (Annexure P11).

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.2 i.e. the Director Public Instructions (Schools), Punjab, to take a final decision on the legal notice dated 6.9.2006 (Annexure P11), by passing a well reasoned speaking order within two months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to him within a further period of one month. It is, however, clarified that arrears, if any, due to the petitioner shall be limited to a period of three years and two months from the date of filing of the instant writ petition. It is also clarified that the instant writ petition came to be filed on March 26, 2007.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

March 29, 2007.
vig